IN THE HIGH COURT OF JUDICATURE AT BOBBY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2608 OF 2006

Vishnu C.Darveshi & Ors. ....Petitioners
V/s.
The State of Maharashtra & Ors. ....Respondents

Mr.S.P. Thorat for the Petitioners.

CORAM : F.I. REBELLO &
R.M. SAVANT, JJ.
DATED : 23RD APRIL, 2007.

P.C. :

1. The Writ Petition has been filed by the Petitioners contending that the class of persons similarly situated like them have been protected, whereas they have not been protected. The State Government pursuant in the matter of premises taken and allotted under the provisions of the Bombay Requisition Act, 1948 had amended the Rent Laws in the State to provide for protection to a class of employees. That law has now been upheld by the Supreme Court.

2. The case of the Petitioner is that as they are similarly situated, the State of Maharashtra also regularise their occupation. The law has been enacted

by the State Legislature. This Court cannot issue any direction to the Legislature or State Government to make or enact a law. This exercise is within the exclusive competence of Legislature of the State. If the law is arbitrary, then it is open for the Petitioner to challenge that law. Such a relief is not sought in the present Petition

3. In so far as 10% quota of Chief Minister is concerned, that is a policy decision of the State Government. It is for the Petitioner to apply and the Competent Authority to decide based on there eligibility.

4. In that view of the matter, no interference is called for. Hence the Petition is disposed of.

(R.M. SAVANT, J.) (F.I. REBELLO, J.)